

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

DANNY J. HICKS,

Plaintiff

VS.

JOE FERRERO, *et al.*,

Defendants

NO. 5: 04-CV-233 (CAR)

PROCEEDINGS UNDER 42 U.S.C. §1983
BEFORE THE U. S. MAGISTRATE JUDGE

RECOMMENDATION

Before the court is a motion by plaintiff entitled MOTION FOR PROHIBITORY INJUNCTION OF DOCUMENTS. Tab #60. In this motion, plaintiff requests that the defendants be prohibited from introducing parts of his medical record at trial. He also requests that the defendants comply with his discovery requests. Tabs #60 and #61. The defendants have filed a response to said motion. Tab #68.

After careful consideration, IT IS RECOMMENDED that plaintiff's Motion is **DENIED** as premature. In the event this matter proceeds to trial, plaintiff may re-submit his motion. To the extent plaintiff seeks to compel discovery, the defendants have complied with plaintiff's requests, providing him with photocopies of over one hundred pages of his medical record. Pursuant to 28 U.S.C. §636(b)(1), the parties may serve and file written objections to this RECOMMENDATION with the district judge to whom this case is assigned, **WITHIN TEN (10) DAYS** after being served with a copy thereof.

SO RECOMMENDED, this 6th day of MAY, 2005.



A handwritten signature in blue ink, reading "Claude W. Hicks, Jr.".

CLAUDE W. HICKS, JR.
UNITED STATES MAGISTRATE JUDGE